

akerman

March 15, 2023

Court reject Plaintiff's brief in opposition to Defendants' summary judgment motion because it does not comply with the Court's rules. Plaintiff, in turn, requests additional time to refile a compliant brief. ECF No. 71. Defendants also request, and Plaintiff does not oppose, extending the deadline for Defendants' reply. Accordingly, Plaintiff shall, no later than **March 20, 2023**, file an opposition brief that complies with the Federal Rules of Civil Procedure, Local S.D.N.Y. Rules, and this Court's Individuals Rules. Defendants shall file their reply, if any, by **April 4, 2023**.

Rory J. McEvoy

Akerman LLP
1251 Avenue of the Americas
37th Floor
New York, NY 10020

D: 212 259 6480
T: 212 880 3800
F: 212 880 8965
DirF: 212 259 7195

SO ORDERED.

VIA ECF

Dated: March 15, 2023
New York, New York

The Honorable Jennifer L. Rochon
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007


JENNIFER L. ROCHON
United States District Judge

Re: Mercado v. Mount Sinai Beth Israel, et al.
21 Civ. 10467 (JLR)

Dear Judge Rochon:

On behalf of our clients, Mount Sinai Beth Israel (named herein as "Mount Sinai Beth Israel" and "Mount Sinai Health System, Inc."), Artur Yadgarov, Irina Agrest, Diella Mrnaci, and Katherine Quinones-Natal (collectively, "Defendants"), I write to request that the Court reject Plaintiff's memorandum of law in opposition to Defendants' motion for summary judgment because it fails to comply with the Court's rules governing such memoranda.

The Court's Rules 3(C) state that "Unless prior permission has been granted, memoranda of law in support of and in opposition to motions are limited to 25 pages" and that "Memoranda of 10 pages or more shall contain a table of contents and a table of authorities." Plaintiff's memorandum of law is 32 pages long and does not include a table of authorities. For these reasons, Defendants request that the Court (i) reject Plaintiff's memorandum; (ii) order Plaintiff to file a memorandum that complies with the rules; and (iii) give Defendants two weeks from the date that memorandum is due to file their reply papers.

Respectfully submitted,

/s/ Rory McEvoy
Rory McEvoy

cc: Jon Choate, Esq., Attorney for Plaintiff (via ECF)
Olivia Clancy, Esq., Attorney for Plaintiff (via ECF)